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November 18, 2005

TELECOPIER TRANSMITTAL SHEET**TELECOPY TO: COMMISSIONER FOR PATENTS****FAX NUMBER: (571) 273-8300****FROM: JOHN P. O'BANION****RE: 09/737,277
SON5180.03A****CERTIFICATE OF FACSIMILE TRANSMISSION (37 CFR 1.8)**

I hereby certify that the enclosed:

1. TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (UNDER 37 CFR 1.97(b) OR 1.97(e)) (2 PAGES)
2. STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING INFORMATION DISCLOSURE STATEMENT (1 PAGE)
3. INFORMATION DISCLOSURE STATEMENT BY APPLICANT (FORM PTO/SB/08A) (1 PAGE)

are being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 571-273-8300) on
18 November 2005.

JOHN P. O'BANION

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(Signature)**[X] Original will not follow**

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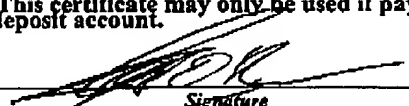
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|---|----------------------------------|-------------------------------------|------------------------------|-------------------------------|---|
| TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c)) | | | | | NOV 18 2005 Docket No. SON5180.03A |
| In Re Application Of: L. MICHAEL MAURITZEN ET AL. | | | | | |
| Application No. 09/737,277 | Filing Date 12/12/2000 | Examiner POINVIL, FRANTZY | Customer No. 36813 | Group Art Unit 3628 | Confirmation No. 7927 |
| Title: APPARATUS AND METHOD FOR POPULATING A PORTABLE SMART DEVICE | | | | | |
| Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 37 CFR 1.97(b) 1. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114. 37 CFR 1.97(c) 2. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of: <div style="margin-left: 40px;"><input checked="" type="checkbox"/> the statement specified in 37 CFR 1.97(e); <div style="text-align: center;">OR</div> <input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).</div> | | | | | |

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| TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c)) | | | | | Docket No. SON5180.03A | |
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| Title: APPARATUS AND METHOD FOR POPULATING A PORTABLE SMART DEVICE | | | | | | |
| Payment of Fee (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p)) | | | | | | |
| <input type="checkbox"/> A check in the amount of _____ is attached. | | | | | | |
| <input type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. _____ as described below. | | | | | | |
| <input type="checkbox"/> Charge the amount of _____ | | | | | | |
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| <input type="checkbox"/> Charge any additional fee required. | | | | | | |
| <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. | | | | | | |
| WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | | |
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| <p>I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. _____)</p> <p>_____ (Date)</p> <p>_____ Signature</p> <p>_____ Typed or Printed Name of Person Signing Certificate</p> | | | | <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</p> <p>_____ (Date)</p> <p>_____ Signature of Person Mailing Correspondence</p> <p>_____ Typed or Printed Name of Person Mailing Certificate</p> | | |
| <p>*This certificate may only be used if paying by deposit account.</p> <div style="display: flex; justify-content: space-between;"><div style="width: 45%;"><p> _____ Signature</p><p>JOHN P. O'BANION, REG. NO. 33,201 O'BANION & RITCHEY LLP 400 CAPITOL MALL, SUITE 1550 SACRAMENTO, CA 95814 (916) 498-1010</p></div><div style="width: 45%; text-align: right;"><p>Dated: <u>11/18/05</u></p></div></div> | | | | | | |
| CC: | | | | | | |

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**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**Docket No.
SON5180.03AIn Re Application Of: **L. MICHAEL MAURITZEN ET AL.**

| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|-------------|------------------|--------------|----------------|------------------|
| 09/737,277 | 12/12/2000 | POILVIL, FRANTZY | 36813 | 3628 | 7927 |

Invention: **APPARATUS AND METHOD FOR POPULATING A PORTABLE SMART DEVICE**COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☐ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☒ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.


 Signature

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cc:

Dated: 11/18/05

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